



Atty. Dkt. No. 034536-0220

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tod R. SMEAL et al.

Title: PHOSPHOSPECIFIC PAK  
ANTIBODIES AND  
DIAGNOSTIC KITS

Appl. No.: 10/716,936

Filing Date: 11/20/2003

Examiner: Sean E. AEDER

Art Unit: 1642

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

This paper is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

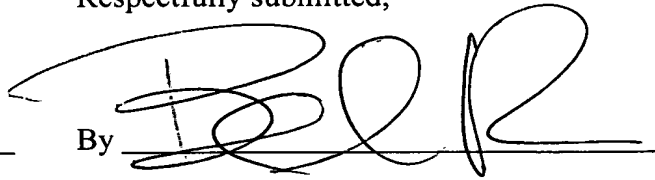
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

9 January 2005

By

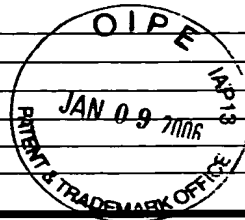


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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: January 9, 2006 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/716,936</td> </tr> <tr> <td>Filing Date</td> <td>11/20/2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Tod R. Smeal</td> </tr> <tr> <td>Group Art Unit</td> <td>1642</td> </tr> <tr> <td>Examiner Name</td> <td>Sean E. AEDER</td> </tr> <tr> <td>Attorney Docket Number</td> <td>034536-0220</td> </tr> </table>		Application Number	10/716,936	Filing Date	11/20/2003	First Named Inventor	Tod R. Smeal	Group Art Unit	1642	Examiner Name	Sean E. AEDER	Attorney Docket Number	034536-0220
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Sheet	1	of	1														



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	C1	2002-0132274	A1	NEVALAINEN et al.	09/19/2002	

FOREIGN PATENT DOCUMENTS								
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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